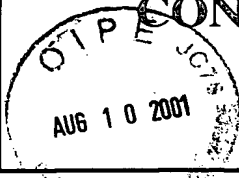


CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
[] DUPLICATE



Address to:

Commissioner for Patents
Box CPA
Washington, D.C. 20231

Attorney Docket No. of Prior Application	7081M
Assignee:	The Procter & Gamble Co.
First Named Inventor	Vladimir Gartstein
Examiner Name	J. Mercado
Group/Art Unit	1745
Express Mail Label No.	EL618954888US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/275,495
filed on 3/24/99, entitled Battery Having a Built-In Controller

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of the CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Pr vide credit card information and authorization on PTO-2038.

08/14/2001 TBESHAH1 0000090 162480 09275895

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information disclosure Statement (IDS) is enclosed.
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

01 FC:131 710.00 CH
02 FC:103 126.00 CH

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box CPA, Washington, D.C. 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16 (c) or (j))	27	- 20*	7	x \$18 =	\$126.00
INDEPENDENT CLAIMS (37 CFR 1.16 (b) or (i))	3	- 3**	0	x \$80 =	\$0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ =	\$
				BASIC FEE (37 CFR 1.16)	\$710.00
Total of above Calculations =					\$836.00
Reduction by 50% for filing by small entity (Note 37 CFR §1.27).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					TOTAL = \$836.00


6. Small entity status: Applicant claims small entity status. See 37 CFR §1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16-2480.
- a. ☒ Fees required under 37 CFR § 1.16.
 - b. ☒ Fees required under 37 CFR § 1.17.
 - c. ☒ Fees required under 37 CFR § 1.18.
8. ☐ A check in the amount of \$_____ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR §1.103(b) for a period of ____ months (not to exceed 3 months) and the fee under 37 CFR §1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated _ in the parent of the above-identified continuation application to preserve pendency of said parent application. The processing fee under 37 CFR §1.17 has been determined as follows: \$.00 for a -month extension of time.

NOTE: The prior application's correspondence address will carry over to this CPA. UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number	(Insert Customer No. here) 27752
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13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME (Print/Type)	Peter D. Meyer	Reg. No. 47,792
SIGNATURE		
DATE	August 10, 2001	



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on August 10, 2001
Antoinette Dillard
Name
Antoinette Dillard
Signature

#11/B
8-16-01

Case 7081M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
VLADIMIR GARTSTEIN ET AL. :

Serial No.: 09/275,495 : Group Art Unit: 1745
Filed: March 24, 1999 : Examiner: Julian A. Mercado

For: **BATTERY HAVING A BUILT-IN CONTROLLER**

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, DC 20231

RECEIVED
AUG 16 2001
TC 1700

Dear Sir:

Prior to examination of the above identified continued prosecution application (CPA), and prior to the calculation of the requisite filing fee, please consider the following amendments and arguments in the above-identified application.

AMENDMENT

IN THE CLAIMS:

Please amend Claims 1, 6, 12 and 24 as follows:

1. (twice amended) A battery comprising:

- (a) a container having a positive terminal and a negative terminal;
- (b) a battery cell having an internal impedance disposed within said container, said cell having a positive electrode, a negative electrode, and a cell voltage measured across said positive and said negative electrodes of said cell;
- (c) a controller electrically coupled between said electrodes of said cell and said terminals of said container to form, from the cell voltage, an output voltage across the positive and negative terminals of the container; and